

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GUY T. MITCHELL,)	
)	No. 08 CV 3193
Plaintiff,)	
)	Pending in the United States District Court
v.)	for the Southern District of New York
)	bearing Case No. 08 Civ. 4319 (JES)
CARBON CAPITAL II, INC.,)	
)	Judge Guzman
Defendant.)	Magistrate Judge Cole

NOTICE OF EMERGENCY MOTION

To: Nicholas P. Crowell	Darrell J. Graham	Phillip Shatz
Isaac S. Greaney	The Law Office of	McCabe & Mack LLP
Alex J. Kaplan	Darrell J. Graham, LLC	63 Washington Street
SIDLEY AUSTIN LLP	53 West Jackson Boulevard	P.O. Box 509
787 Seventh Avenue	Suite 1334	Poughkeepsie, NY 12602
New York, NY 10019	Chicago, IL 60604	

PLEASE TAKE NOTICE, that on Friday, June 6, 2008, at 8:30 a.m. we shall appear before the Honorable Jeffrey Cole or any magistrate judge sitting in his stead in Room 1838 of the United States District Courthouse, 219 South Dearborn Street, Chicago, Illinois, and then and there present **PLAINTIFF GUY T. MITCHELL'S EMERGENCY MOTION TO COMPEL COMPLIANCE WITH SUBPOENAS ISSUED TO HYATT CORPORATION AND HYATT EQUITIES, L.L.C.**, a copy of which is hereby served upon you.

Dated: June 5, 2008

Respectfully submitted,

GUY T. MITCHELL

By: s/ Peter S. Roeser
One of His Attorneys

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CERTIFICATE OF SERVICE

I, Peter S. Roeser, an attorney, certify that on June 5, 2008, I caused a true and complete copy of the foregoing **NOTICE OF EMERGENCY MOTION** to be served by messenger delivery upon the following:

Nicholas P. Crowell
Isaac S. Greaney
Alex J. Kaplan
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787 Seventh Avenue
New York, NY 10019

Darrell J. Graham
The Law Office of Darrell J. Graham, LLC
53 West Jackson Boulevard
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and by email transmission upon the following:

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pshatz@mccm.com

s/ Peter S. Roeser

Peter S. Roeser